

Notice of Allowability

Application No.

09/828,710

Examiner

Jonathan G. Sterrett

Applicant(s)

EL HOMSI, ALEXANDRE

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 20070326.
2. ☒ The allowed claim(s) is/are 1,4 and 5.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20070326.

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____



C. MICHELLE TARAE
PRIMARY EXAMINER

Examiner's Amendment

1. An examiner's amendment to the record is attached to the Office Action. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Stephen F. Swinton, Jr., Reg. 53,661 on 26 March 2007. See attached interview summary.

2. The claims below are the pending claims in the application.

1. (Currently Amended) A computer-based implementation of a method for determining one or more best matching resources, given a resource x and role F, in a hierarchical matrix-based workflow model, said method comprising:

- a) ~~identifying in a hierarchical matrix-based workflow an organizational unit where resource x belongs;~~
- ~~_____ b) identifying all hierarchically superior roles of role F;~~
- ~~_____ c) in the case that no hierarchically superior roles of role F exist, returning x as the best matching resource;~~

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~~_____ d) _____ in the case that a hierarchically superior role of role F exists, iteratively identifying an immediately hierarchically superior role from the list of all hierarchically superior roles;~~

~~_____ e) _____ identifying a role R of the immediately hierarchically superior role;~~

~~_____ f) _____ identifying in the organizational unit all resources other than resource x that has role R;~~

~~_____ g) _____ in the case that there is at least one identified resource other than resource x that has role R, returning the at least one identified resource as the best matching resource;~~

~~_____ h) _____ in the case that there is not at least one identified resource other than resource x that has role R, identifying all servicing organizational units for role R; and~~

~~_____ i) _____ repeating steps e through h until all best matching resources are returned.~~

_____ a. identifying a need, Y, within an organization that requires a resource x;

_____ b. defining a role F as being a resource category that can fulfill identified need Y,

where said role F is represented as a node in a hierarchy;

_____ c. automatically iteratively searching up an organizational hierarchical tree for roles F, where the searching steps through organizational nodes where subsequent nodes return roles that represent nodes with increasing hierarchical standing;

_____ d. identifying at each organizational hierarchical node links to other organizational nodes outside the current hierarchical tree;

_____ e. returning at least one role F in said iterative search that ends when the top of the hierarchy is reached;

f. comparing each role F in the hierarchy with the specific requirements of need

Y to determine which role F best matches said requirements;

g. if steps a-e return at least one role F, then proceed to step i, otherwise
continue to step h;

h. from the linkages identified in step d, returning a role F and comparing the role
F with the specific requirements of need Y to determine which role F best matches
requirements.

i. storing or displaying the best matching resources that have been identified as
candidates to fill need Y.

2-3. (Cancelled)

4. (Previously Presented) The computer based implementation of claim 1,
wherein the hierarchical matrix-based workflow is a three-dimensional workflow
comprising the following axes: organizational unit, title hierarchy, and functional roles.

5. (Previously Presented) The computer-based implementation of claim 1,
wherein the method is network enabled, the network comprising any of the following:
local area network (LAN), wide area network (WAN), Internet, HTTP-based network, or
PSTN/PBX network.

6-34. (Cancelled)

Allowable Subject Matter

3. **Claims 1, 4 and 5** are allowed.

Reasons for Allowance

4. The following is a statement of reasons for the indication of allowable subject matter:

The closest prior art is Du, et al. US 6,308,163 (hereinafter **Du**).

While Du discloses:

a) identifying in a hierarchical matrix-based workflow an organizational unit where resource x belongs; identifying all hierarchically-superior roles of said role F; in the case that no hierarchically-superior roles of role F exist, returning x as best matching resource; in the case that a hierarchically-superior role of role F exists, iteratively identifying an immediately hierarchically-superior role from said list of hierarchically-superior roles; identifying a role R of the immediately hierarchically-superior role; identifying in the organizational unit all resources other than resource x, that has role R, in the case that there is at least one identified resource other than resource x that has role R, returning the at least one identified resource as the best matching resource, otherwise, then, in the case that there is not at least one identified resource other than

resource x that has role R, identifying all servicing organizational units for said current role R;

Du fails to disclose:

Defining a need, Y, that requires a resource; Defining role F as a resource category; automatically iteratively searching up an organizational tree for roles, where the roles returned are hierarchical; and where this search includes identifying organizational nodes outside the current hierarchical tree; comparing the roles F that are returned with specific requirements of the need Y, to determine which role F is the best role; if no roles are returned within the current organizational tree, then searching the external organizational nodes to find the best role F for meeting the requirements of Y; and then storing or displaying the best matching requirements that are identified as being able to fulfill the need Y.

as recited in **Claim 1**.

Du discloses some of the features of the claimed invention, as discussed above. Even for some of the features disclosed by Du, those features are not combined in such a way as is disclosed by independent **Claim 1**.

The novelty of the invention is in the combination of the limitations cited in independent **Claim 1** and not in any specific individual claim limitation.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

WO 9827479 A2 by Turley discloses a system for resource management for workflow systems.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 571-272-6881. The examiner can normally be reached on 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGS



3-26-2007



C. MICHELLE TARAE
PRIMARY EXAMINER